REMARKS

Claims 1-8 and 10-22 remain pending in the application.

Claims 1-8 and 10-22 over Hamada in view of Norr

In the Office Action, claims 1-8 and 10-22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,754,347 to Hamada ("Hamada") in view of U.S. Patent No. 7,085,377 to Norr ("Norr"). The Applicant respectfully traverses the rejection.

Claims 1-7 recite some of a plurality of data packets within a single digital data stream are scrambled and where in these data packets a data payload comprises a scrambled central portion surrounded on both sides by an unscrambled portion. Claims 8, 17 and 18 recite scrambling a first central portion of a data payload of some of a plurality of data packets of a single data stream, the first central portion being surrounded on both sides by an unscrambled second portion. Claims 10-16 and 19-22 recite scrambling and descrambling only a central portion of a data portion/payload of every nth one of a plurality of data packets from a single data stream, where n is an integer greater than 1, while leaving a second portion of the data portion of these data packets unscrambled, the central portion being surrounded on both sides by the unscrambled second portion.

The Examiner alleged that Hamada discloses a packet that includes a data payload, the data payload including a scrambled central portion and an unscrambled portion at col. 7, lines 54-65. The Applicant respectfully disagrees.

Hamada appears to disclose a Packet Identification (PID) that is used to identify a current transport stream (TS) packet (col. 7, lines 57-58; Fig. 5). The PID is followed by a scramble control portion of two bits that represents whether or not the payload had been scrambled (see Hamada, col. 7, lines 58-61; Fig. 5).

Hamada discloses scrambling of a payload. However, Hamada fails to disclose limits on how much of the payload is scrambled. Thus, Hamada

discloses scrambling and descrambling of an <u>entire</u> payload, not a <u>central portion</u> thereof, much less a <u>central portion</u> being <u>surrounded by an unscrambled portion</u>, as recited by claims 1-8 and 10-22.

The Examiner acknowledged that Hamada fails to disclose a <u>single digital data stream</u> wherein only some of a plurality of data packets within the single digital data stream are scrambled (Office Action, page 3). The Examiner relied on Norr to allegedly make up for the deficiencies in Hamada to arrive at the claimed features. The Applicant respectfully disagrees.

Norr appears to disclose a designated number M-K packets of encoded audio are encrypted using an encryption key, while the remaining K packets remain unencrypted (see Norr, col. 4, lines 41-43). The K unencrypted packets are placed in two of four bitstreams, while the remaining M-K packets are placed in the remaining two bitstreams (see Norr, col. 4, lines 43-46).

Contrary to the Examiner's allegation that Norr discloses a <u>single digital data stream</u> that includes <u>both</u> scrambled and unscrambled data packets, Norr discloses use of two bitstreams for unencrypted packets and two bitstreams for encrypted packets. Thus, Norr discloses that within any <u>single</u> stream there is <u>either</u> scrambled or descrambled data packets. Norr fails to disclose a <u>single digital data stream</u> that comprises <u>both</u> scrambled and unscrambled data packet, as recited by claims 1-8 and 10-22.

Thus, Hamada in view of Norr would still fail to disclose, teach or suggest a scrambled <u>central portion</u> being <u>surrounded by an unscrambled portion</u>; and a <u>single digital data stream</u> that includes <u>both</u> scrambled and unscrambled data packets, i.e., would fail to disclose, teach or suggest a <u>single digital data stream</u> where only some of a plurality of data packets within a single digital data stream are scrambled and where in these data packets a data payload comprises a <u>scrambled central portion surrounded on both sides by an unscrambled portion</u>; scrambling a first central portion of a data payload of some of a plurality of data packets of a <u>single data stream</u>, the <u>first central portion being surrounded on both sides by an unscrambled second portion</u>; and scrambling and descrambling only a central portion of a data portion/payload of
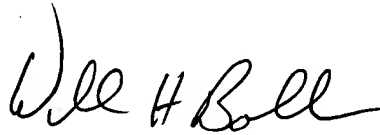
every nth one of a plurality of data packets from a <u>single data stream</u>, where n is an integer greater than 1, while leaving a second portion of the data portion of these data packets unscrambled, the <u>central portion being surrounded on both sides by the unscrambled second portion</u>, as respectively recited by claims 1-8 and 10-22.

For these and other reasons, claims 1-8 and 10-22 are patentable over the cited art. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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